

Appl. No. 09/779,791
Amdt. dated Jan. 17, 2005
Reply to Office action of Oct. 26, 2004

REMARKS

Rejection of the claims under 35 USC § 112:

Claim 1 has been rejected under 35 U.S.C. 112, first paragraph. The action states that the recitation of "enhances delivery of said molecule to the cytoplasm of said cell" is considered new matter. Applicants have amended the claim to obviate the rejection. The amended claim recites transport of the molecule across a cell membrane and increased retention of the molecule inside the cell. Support for the amendments can be found in the specification on page 25 line 29 to page 26 line 10, which describes transduction signals used to transport a molecule to which it is attached across a membrane. Support for increase retention of the molecule inside the cell can be found in the specification in example 10, pages 38-39, see especially lines 15-19 on page 39.


Claims 1-6 and 13 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite in the recitation of "mammalian physiological conditions" in claim 1. Applicants respectfully point out that this phrase is not present in any of the claims

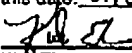
Rejection of the claims under 35 USC § 102(f)

As noted by the examiner, Monahan et al. (6,429,200) describe the general guidance for the chemical linkage of a conjugate through a disulfide bond. Applicants further acknowledge that the instant application and '200 have claims encompassing disulfide bonds. However, '200 claims the formation of reverse micelles containing nucleic acid and the use of labile surfactants therein. '200 neither describes nor claims a molecule covalently linked to a transduction signal via an activated disulfide bond.

The Examiner's rejections are now believed to be overcome by this response to the Office Action. In view of Applicants' amendment and arguments, it is submitted that claims 1-6 and 13 should be allowable. Applicants respectfully request a timely Notice of Allowance be issued in the case.

Respectfully submitted,


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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 01/16/05

Kirk Ekena